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5			
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8	Attorneys for the United States of America		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANCISCO DIVISION		
12			
13 14	UNITED STATES OF AMERICA,) No. CR 12-0675 WHA		
15	v. STIPULATION AND [PROPOSED]		
16) ORDER EXCLUDING TIME FROM MILTON KAULULAAU,) OCTOBER 23, 2012 TO DECEMBER 4, 2012 FROM CALCULATIONS UNDER		
17	Defendant. Defendant. Defendant. (18 U.S.C. § 3161)		
18	(16 C.S.C. § 3101)		
19			
20			
21	The defendant, Milton Kaululaau, represented by Randy Sue Pollack, Esq., for Jai Gohel,		
22	Esq., and the government, represented by Cynthia Frey, Assistant United States Attorney,		
23	appeared before the Honorable William Alsup on October 23, 2012 for a status conference. The		
24	defense requested and the Court ordered a continuance to December 4, 2012, for a change of plea		
25	or trial setting.		
26	The parties agreed that time should be excluded under the Speedy Trial Act between		
27	October 23, 2012 and December 4, 2012 for purposes of continuity of counsel and effective		
28	preparation of counsel, in order to provide defense counsel with adequate time to review the		
	STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME CR 12-0675 WHA		

1	discovery, conduct additional investigation, and consult with the defendant. In addition, the		
2	defendant agrees to exclude for this period of time any time limits applicable under 18 U.S.C. §		
3	3161. The parties represent that granting the continuance, is necessary for continuity of defense		
4	counsel and effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §		
5	3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such a		
6	continuance outweigh the best interests of the public and the defendant in a speedy trial. 18		
7	U.S.C. § 3161(h)(7)(A).		
8			
9			
10	SO STIPULATED:		
11		MELINDA HAAG United States Attorney	
12		Office States Attorney	
13	DATED: November 5, 2012	/S/	
14	BITTED. INOVERNOOF 5, 2012	CYNTHIA M. FREY Assistant United States Attorney	
15		1.155.75.141.11 C 1.11.10 A 2.141.10 1.11.101.11.10 J	
16			
17	DATED: November 5, 2012	JAI GOHEL	
18		Attorney for MILTON KAULULAAU	
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	STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME		

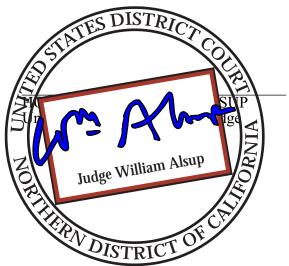
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Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between October 23, 2012 and December 4, 2012 would unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between October 23, 2012 and December 4, 2012 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time between October 23, 2012 and December 4, 2012 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C §§ 3161(h)(7)(A), and 3161(h)(7)(B)(iv).

DATED: November 6, 2012.



STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME